

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

MARIANNE LISENKO, Pro Se

CASE 09-50026 et al

re:

CH.11 GENERAL MOTORS CO. VOLUNTARY REORGANIZATION involving:

Motors Liquidation Corporation, by and through

Weil, Gotshal & Manges Attorneys, NY - Debtors in Possession of a 30 to 50 billion dollar fund (more or less?) from US Treasury and unknown amount, or security value, from Governments of Canada and Ontario, Section 363 Sale, TARP Funding,

Citibank; J.PMorgan Chase, GM Investment Corporation (is interest from reported? 2 trillion dollars in investments available liquidity for GM in the event of financial problems?),

Wilmington Trust Company/ General Unsecured Creditors Trust et al ,

Gibson, Dunn & Crutcher, NY,

McDermitt, Will & Emery, NY, and numerous other lawyers, trusts, financial firms and other professionals receiving, INVESTING and distributing (?) public funds,

Edward Jones Investments, Custodian of Lisenko Roth IRA Acct No.248-97278-1-4

Chairwoman of House Committee on Financial Services MAXINE WATERS et al

Chairman of Senate Finance Committee RON WYDEN et al

TO THE HONORABLE JUDGE MARTIN GLENN:

REQUEST BY UNPAID CLASS 1 PRIORITY CLAIMANT
FOR CASH DISTRIBUTION FROM EXCESS DISTRIBUTABLE FUNDS
AND
OBJECTION TO THE DESTRUCTION OF ANY BOOKS and RECORDS
IN WIND DOWN, CASE CLOSING PROCEEDINGS

1.

I, Marianne Lisenko, a volunteering low-income senior, refer to Claim No.22063, dated Nov.5, 2009, timely filed in this court, in which I requested the sum of \$5000, plus interest, in payment for the unjustified cancellation(?) of my 200 preferred (restricted?) (R GM) shares - officially called Senior Notes - maturing in 2052 with annual interest of 7.25% , NYSE CUSIP 370332758.

2.

I believed my purchase was a wise, SECURE, fixed income, long term investment that would accrue to my children or grandchildren should I not live that long, though I did not know the term date at the time of purchase. I was not advised by Edward Jones that the strangely dated batches of 1990 and 1995 Indenture(Obligation) Agreements for the sale of about **\$27 billion dollars** worth of bonds (Wilmington Trust GM bond list was posted online) actually stated that the bonds were "unsecured" and that all the officials involved in their sale to the public were "IMMUNE" from liability, which simply means they could get away with fooling naive buyers!

3.

All my petitions to this court, docket-document numbers 7071, 7344, 7760, 10402, 11031, 11124, 12544, 12546, have been rejected, though Judge Gerber stated twice in his orders that I have "prima facie entitlement to relief". Perhaps I was rejected because I expressed the belief that the indentures were a **premeditated fraudulent scheme** aimed at a future "legal" corporate reorganization that would eliminate or reduce GM's debt and the excessive amount of outstanding shares and the large number of GM subsidiaries.. That is what brought down GM's stock price (too many fake shares all over!), despite the fact that the company WAS and IS productive and profitable. I also objected to the unjust enrichment and padded professional "writings", the fees and expenses that are filed by lawyers and other professionals in US and Canadian courts and in regard to the abuse of class action litigation in general.

4.

INTERROGATORIES OF THE RESPONSIBLE OFFICIALS UNDER A SERIOUS OATH (see Jan.19,2020 posting on twitter.com/listen2mary) and FULL DISCLOSURES of WEALTH and INDIVIDUAL IRS 1040 reports WILL determine the WHOLE TRUTH in this case. The names of the previous executives of GM, the Indenture signing officials, Citibank, all trustees, etc. are listed. Former GM CEO F.A.Henderson's 50 page Affidavit with one such list was found in docket-document No.11802. When I checked the docket the next day, the whole 521-page document was replaced with a different 13 page one (www.dm/Epiq11/case/mlc/dockets).

5.

REMAINING TASKs in the wind down proceedings are proposed in document No.14784, pages 15-18 of 30. Also proposed is an IRS audit... Greater oversight of the legal-financial-administrative sectors is IMPERATIVE and it WILL improve the financial SECURITY of each and every investing individual, most importantly those with a registered retirement account. And when all litigants and lawyers in any civil or criminal proceeding read and sign a serious oath in regard to the truthfulness and good faith of their statements, claims and testimonies, there will definitely be less invisibly caused magic "tricks, schemes, falsities and cover-ups" in the courts and in society at large. ...The destruction of important records for those reasons is simply illogical and unacceptable,

6.

The best way to promote true justice and harmony in a society was suggested in the opinion of FIRST US Supreme Court Justice John Jay in *Chisholm v Georgia*, 1793 -access to the courts must be FREE! That is the only way to make justice a little more 'equal'. ... The modern enlightened approach should be one of **GOOD FAITH COOPERATION** among all the involved parties (not aggressive adversarial confrontation). Lawyers are "officers of the state" and they must have a publicly-funded salary so that each INDIVIDUAL can be guaranteed a **FAIR and FREE** resolution of a grievance, Awards for insulting, libelous, or other minor assaulting and/or discriminatory actions need to be prescribed in order to discourage the wanna-be millionaire jackpot seeking dishonest person. Outrageously expensive and often ridiculous pretend corporate and class action litigation drags on for years because it is all paid for with public money. If it's free, and much too lucrative for them, why are ordinary, less educated People denied the fairness they all want? The result, as is plainly now seen even by the less-educated is **systemic injustice** for the majority of individuals who have no influence or celebrity status, who have no wealth or extensive media coverage.

US Supreme Court Justice (from 1969 to 1986) Warren E. Burger, also said that "***Trials by the adversarial contest must in time go the way of the ancient trial by battle and blood***".

7.

Widely publicized GOOD LAWS that are effectively enforced by the courts will begin to eliminate the perfidious political, administrative, judicial, monarchist-elitist behaviors described in 1726 by Jonathan Swift in his satirical story-book **GULLIVER'S TRAVELS** and later by Charles Dickens' in **BLEAK HOUSE**- behaviors that still poison the lives of too many even in wealthy, educated and advanced societies like the USA and Canada..

8.

There are more than 14800 document entries in this case . So far not one document gives a verifiable comprehensive summary of the total amount of bailout money that was received and from where it came. The total amount of fees and expenses paid out to lawyers and others over the last 12 years is not available either... What is the total **in cash** received by the first 70 000 (?) claimants? Many of those claims, no doubt, were made in bad faith, not proven and, therefore, rejected but where is the list of the 1990 and 1995 bondholders and the sums paid to them? Were most bondholders simply forced to accept new GM shares, warrants and "units" because nobody would help them to dispute and to object to unfair treatment?

9.

Document No.13543, an annual Report and budgeting request, filed by lawyers for the General Unsecured Creditors(GUC) Trust on Nov.17, 2015, states on page 19 of 34 that as of Aug.15, 2015 the GUC Trust held 803.4 million dollars in cash and there was a Disputed Claim Reserve of \$433.2 million, not clear if that is in addition to the \$803.2 million. The report speaks about the resolution of "4,460 individual disputed claims for \$8.15 billion dollars" of which "6 billion dollars was expunged and disallowed" and "2.08 billion dollars were paid out". Is that only 2 billion dollars paid to selected bondholders out of the 27 billion dollars ? Were

all the 1990 and 1995 bonds sold? I believe there was a list of about 18 000 individuals who bought the 1995 notes that matured in 2052 , apart from about 19 more bond issues with different interest rates and maturity dates. Where exactly did the raised 27 billion dollars go?

10..

My last concern is the need for Edward Jones and other investment companies, which are now proliferating and promoting cryptocurrencies , is to prepare standardized simplified account statements. Financial advisors and managers must also sign and post an OATH of FIDUCIARY DUTY and disclose their financial status, their work load and the number of clients they serve. The Morgan Stanley statement in Caterina Claim No.14061, for example, has the most important account information on only one page.

ON THE BASIS of all the above and given the pandemic, given my low income and the difficulties I have faced with different methods of communication and service , I pray:

- for service of this submission-request to the named above parties and any others deemed necessary , to be made by the Court ;
- for a fair decision in regard to my individual claim,
- for as accurate as is possible accounting-auditing by the IRS and by conscientious, financially secure volunteers, of all the monies involved in this case - the conservation, not destruction of records is required;
- for full DISCLOSURES by all officials who received and distributed funds,
- for any other relief the Court deems appropriate and for a decision based on the undisputed over the last 12 years facts, not on arbitrary AT WILL privilege, malice or prejudice, conscious or subconscious, and to be done without a hearing.

Respectfully submitted, truthfully, in good faith and with reference to my perpetually valid Oath-Pledge on my twitter.com/listen2mary post of Jan.19, 2020.

May 10, 2021, Washington, DC

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